

## U.S. Insists on Exoneration of Newcastle Aids

**Terms Britain Consulate Will Remain Closed Until There Is a Public Re-creation of All Charges**

**Inquiries Prove Innocence**

**3 Hearings Fail to Substantiate Report That Consuls Discriminated in Shipping**

WASHINGTON, Oct. 31 (By The Associated Press).—The United States government has decided definitely not to reopen the American Consulate at Newcastle, England, until the British government has unconditionally withdrawn the charges it made against Consul Slater and Vice-Consul Brooks and publicly exonerated the two officials.

The British Foreign Office has been made aware of this determination, it was learned to-day, reached after exhaustive investigations of the situation at Newcastle, which disclosed a foundation whatever, in the opinion of American officials, to support the charges which led the British authorities last August to cancel the exequatur of Slater and Brooks.

Action of the British government in cancelling the exequatur was followed by the closing of the consulate and three separate investigations by the Washington government into charges that Slater and Brooks used their official positions in Newcastle improperly in discrimination of British shipping interests and to the advantage of American steamship lines. The first two inquiries were made respectively by the American Embassy in London and Consul General Skinner.

These reports agreed that no substantiation of the charges against Slater and Brooks could be obtained, although the British officials had been asked to present all the evidence in their possession.

Not satisfied to act on the two reports, the American government sent James Johnson, an executive officer of the State Department, to Eng and with instructions to make an independent inquiry of the most thorough character. His report is in complete harmony with those of Ambassador Harvey and Consul General Skinner, and acquiesces the two consular officers of any wrongdoing.

On the basis of the three reports the British government has been definitely informed that the American Consulate at Newcastle will remain closed until the charges against Slater and Brooks have been retracted in such fashion as to afford the two officials that public redress to which this government feels they are entitled. So far as is known, the British Foreign Office has not as yet indicated to the American government what action it proposes to take in the circumstances.

**Cuban Elections To-day**

**Extraordinary Measures Taken to Preserve Order in Island**

HAVANA, Oct. 31.—Fifty-seven national representatives, six provincial governors and new municipal and provincial administrations throughout the island will be chosen to-morrow in elections which, because of their bearing on the republic's international relations, have taken on vital significance.

Extraordinary measures have been taken to preserve order and prevent frauds at the polls. Military supervisors have been assigned to a score of towns where election officials fear factional feeling will run high. Political meetings and parades have been banned.

**Mine Blast Imperils Hundreds**

LONDON, Oct. 31.—An Exchange Telegraph dispatch from Vienna reports the possible killing of several hundred miners in a colliery explosion at Lubny, Transylvania.

## Smith Won't Do, Nor Miller, So Allee Will Vote for Self

Joseph B. Allee, licensed real estate agent 6829, 27 Warren Street, announced by mail last night that he intends to vote for himself in the gubernatorial election next Tuesday and would not mind if a few others wrote in his name too, Samuel Untermyer, he added, is his running mate and ought to be elected United States Senator. He declined to say whether Mr. Untermyer had as yet been notified of his nomination.

A reporter was dispatched at once to interview the new star on the political horizon. "Who on earth are you?" he was asked tactfully.

"I am a citizen of the United States," Mr. Allee replied.

"Who else are you?" ventured the interviewer.

"I am the first man who ever sent a campaign contribution to Mayor Gaynor. That was in 1904. I am the man who had the Young Republican Club in Brooklyn haled into court. I forget when that was. I was born a Republican."

**Hirshfield Views Scenery, but Hears Little Testimony**

**Commissioner's Inquiry on Conditions in Berwind-White Coal Fields Actually Confined to Six Hours**

SPECIAL DISPATCH TO THE TRIBUNE

JOHNSTOWN, Pa., Oct. 31.—Commissioner David Hirshfield's committee came, saw, and whether it conquers or not seems to depend on how New York votes next Tuesday. Mr. Hirshfield's committee to-day closed its inquiry into living and working conditions among the Berwind-White Coal Mining Company's employees at Windber, eight miles from this city. As no evidence was taken yesterday and Sunday's visit to the Windber region was only to see the miners' tent colonies and other landscape features, the actual hearing was confined to barely six hours to-day. The mountain that brought forth a hole in its after laboring at least was not volcanic in its mutterings and promises.

To-day's hearing was held in the Miners' Hall at Windber. John Lochrie, a popular independent coal operator at Windber, had indicated yesterday he would allow the committee to use his office building for its session to-day. After making his offer, Mr. Lochrie's proffer of testimony was treated most cavalierly by Commissioner Hirshfield, in between hectic bursts denouncing John D. Rockefeller and others looting large in industrial process.

Having returned to normal this morning, Mr. Hirshfield led his band to the Lochrie building, only to find it locked, with nobody about. Marching to the Miners' Hall, Mr. Hirshfield squeezed his way into a jammed building, with several scores massed outside.

A dozen witnesses were heard between 10 a. m. and 1 p. m. The audience was composed mostly of Czechs, Abuzzi, Magyars, Poles and Russians. Commissioner Hirshfield seemed unable to avoid giving the impression that he had brought with him a good sized chunk of Manhattan politics.

"Oh," he said to a witness. "So the Berwind-White own all of Windber, do they? Well, so do they own control of the Interborough, and the Interborough owns Governor Miller and if it wasn't for Mayor Hylan we can't tell what the combination would do to the people of New York."

When witnesses had a chance they told of working a whole month—"long hours at hard labor"—and then receiving \$1 with a receipted store bill covering the balance. Witnesses said the Berwind-White's trading incorporation, the Eureka Stores Company, required every employee to patronize its stores and that in hundreds of cases, month after month, miners received only \$1 or \$2. Items of rent, electric light, water, house fuel, etc., helped the Eureka "clean up," they said.

To-night it was announced that the committee would sit in Johnstown to-morrow and hear District President John Brophy and other miners' union leaders detail their efforts to reach an agreement with the Berwind-White Company as to its Windber plant.

## High Bus Fare In Bronx Rich Political Plum

(Continued from page one)

resident of Mount Vernon, and Christian Brochart, treasurer.

Brochart is a Deputy Sheriff of the Bronx, at \$8,000 a year.

William A. Keating, who organized the company for Frankenberg, is counsel to the present Sheriff of Bronx County, at \$5,000 a year.

Former Sheriff O'Neill, who is suspected of being the owner of the old Scherbert and Karch's one-third interest, is an under sheriff, at \$5,000 a year, in the office where he once was.

Frankenberg testified that he talked with the former operators of the old City Island bus line about the earnings of the company before he became financially interested in it, and that William A. Keating, counsel of the sheriff, talked with him about it. Former Sheriff O'Neill, Frankenberg finally admitted, recommended that he take over the line by organizing a new company.

With the permit assured, Keating attended to the organization of the new bus company. He had \$1,000 when he started business, but soon bought seven buses, at a cost of \$22,000. The individual bus operators paid 25 per cent of their gross receipts to the company, and they all worked without individual permits, the permit to the company shelling for the entire fleet.

Frankenberg said his bus business and his garage business were both at 184 West Farms Road, alongside of each other. He has been three years in the bus business and for many years preceding was employed with the Otis Elevator Company.

**Whalen Helped Double Fare**

Frankenberg said Commissioner Whalen zoned the district, so that he was charged to charge 10 cents for a certain distance of the entire route, and an additional 10 cents for a further ride. The entire route was seven and a half miles in length. Frankenberg said all seven buses in his company were registered in Albany in his name.

As soon as it was made clear by Frankenberg that Karch and Brochart, Frankenberg's bus business associates, had put no capital in the business, and apparently gave no time to its conduct, Mr. Shearn asked:

Q.—What possible basis is there for your giving up two-thirds of the proceeds of this business to two men that have no financial interest in it what ever? A.—Because they are friends of mine.

Q.—Did they need any financial assistance from you? A.—I couldn't tell you.

Q.—How did you come to give up two-thirds of the profits of this business to these people who put up not a dollar when you put up all the money and are doing all the work? A.—Because they are in the company.

Q.—No, but why did you bring them into the company and put them into a position to get two-thirds of the profits of this venture when they didn't put up a dollar and you put up all the money and are doing all the work? A.—Why did I?

Q.—Because He Wanted To

Q.—Yes, why did you? A.—Because I wanted to.

Q.—But why did you want to? You don't ordinarily want to distribute largess, do you, among your acquaintances? A.—Well, I just done it because I wanted to.

Q.—It was just your method of doing it, was it? A.—Yes.

Q.—You can't think of any reason in the world, can you, for giving up to these two men who have no financial interest in your company two-thirds of the profits? A.—I give it to them, that is all.

Q.—Can you think of any reason in the world? A.—No, I can't. I just simply give it to them.

Q.—Don't you know they are mere bluffs and dummies and that this money goes to Tom O'Neill? A.—I don't know anything about it.

Q.—Haven't you a very shrewd suspicion that that is the case? A.—I can't tell you anything about it.

Q.—I say, haven't you a very shrewd suspicion that that is the case? A.—No, I haven't anything.

Q.—Have you ever looked at the indentures on the checks that you turn over to them? A.—No, I do not, I never did.

Q.—Now, honestly, isn't your understanding that Tom O'Neill owns two-thirds of this business with you? A.—No, sir.

Q.—And it is in the name of those two dummies? A.—No, sir, nothing of the kind.

Q.—But you can't give us any reason in the world why you turned over two-thirds of the proceeds to these two men who have nothing to do with the business and who haven't put a dollar into it, can you? A.—No, sir.

Mr. Shearn pressed Frankenberg for

## Smith to Take Tea as Women's Guest To-day

Alfred E. Smith has promised the women who have been working for his election as Governor that he will positively return their kindness by drinking tea with them this afternoon at the Hotel Biltmore. All the Democratic candidates and their wives have been invited to attend the tea drinking with Mrs. Charles Dana Gibson, Mrs. George Gordon Battle, Mrs. John Blair, Mrs. Arthur O. Choate, Miss Amey Aldrich, Mrs. David F. Houston, Mrs. James W. Gerard and other members of the committee.

full information about the buses that Commissioner Whalen's department sent up to him when business was so flourishing that he could not handle all of it with his own equipment.

Q.—The city gets no part of the gross receipts and the 25 per cent of their proceeds all goes to you. A.—Yes, sir.

Q.—(by Chairman McNamara).—What do you give in return for the 25 per cent privilege of running on the city streets?

Mr. Shearn: He gives two-thirds of the profits of his company to those two men that he has named.

Q.—I mean for those extra buses that come up from the Department of Plant and Structures, what do you give in return for what they give to you? A.—Permission to run on the line.

Q.—Permission to run on the city streets? A.—(No answer).

**Tidy Business, Says Shearn**

Q.—So you haven't any franchise that gives you any exclusive rights up there at all? A.—No, sir.

Q.—And yet you undertake to farm this privilege out to other people and make them give up to you 25 per cent of what they take in? A.—Yes, sir; when we need them that is what we charge them.

Q.—And if you can't get enough bus

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## Hyman Calls Bribe Charge Of Riedl Sour Grapes

**Sore Because He Couldn't Make Good, Says Mayor; Shearn Hopes for Grand Jury Action**

Mayor Hyman issued a lengthy statement yesterday with reference to the testimony of Louis Riedl, the exporter, who on Monday testified that he had been "blackjacked" out of a permit to operate bus lines in September, 1919, because he would not pay over \$25,000 to one Daniel O'Connor, a Brooklyn politician, who, it was said yesterday, died eight months ago.

The Mayor says that three years ago Riedl admitted that he had a grievance against Commissioner Whalen, whom Riedl charged with bad faith in sending him to Jersey a large fleet of buses which he was ready to operate when his bus privilege was withdrawn, following his refusal to pay the \$25,000.

"Riedl never made good," said the Mayor. "No doubt he became sore at Commissioner Whalen because of Mr. Whalen's success and his own personal failure."

The Mayor made no comment on the sworn statement by Riedl that he, the Mayor, had urged him to install the buses after he had twice demonstrated, with more than 200 buses, that he could take care of traffic during two different strikes on traction lines.

Clarence J. Shearn, after reading the Mayor's statement, made this comment:

"The explanation of the circumstances surrounding the sudden and peculiar termination of the Riedl bus franchise, put forth by Mayor Hyman on behalf of the parties involved in Riedl's testimony, would be much more persuasive if all of the various officials who are immediately concerned would sign waivers of immunity and take the witness stand."

"Whether or not the revolting story of graft and intimidation related by Mr. Riedl under oath is true can be determined when all the corroborating evidence is in. In most of its essential details the testimony of Mr. Riedl is readily susceptible of corroboration if it is true, and of disproof if it is untrue. Everything will be done to sift this matter to the bottom, so far as the limited powers of the commission suffice. In any event, District Attorney Banton will be able to get to the bottom of the scandal with the fearless aid of a grand jury."

James J. McNicholas and Walter C. McKinley, of the commission staff, testified to overloading on the buses.

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Don Juan—Part II (Strauss)  
Don Juan—Part III (Strauss)  
Don Juan—Part IV (Strauss)

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